Northern Webster County Improvement Council Hacker Valley Post Office Preservation Committee 824 Cleveland Road Cleveland, WV 26215

Ruth Goldway, Chairman
Postal Regulatory Commission
901 New York Ave. NW, Suite 200
Washington, D.C. 20268

Attn: Docket Pl2010-1

Dear Ms. Goldway and the PRO:

Please accept the attached letters, statements, and related documents concerning the suspension of the Hacker Valley, WV Post Office, as evidence for Docket Pl2010-1. These are letters from community businesses, agencies and individuals affected by the loss of services, as well as other documents pertaining to the post office suspension.

Furthermore, we respectfully request that the PRC include all documents submitted on our behalf pertaining to the original Docket A2009-1, including but not limited to, participant statements, letters, comments, and notices of intervention.

We appreciate this opportunity to continue to make our concerns known. We are grateful for the efforts of the Postal Regulatory Commission to uphold the intent of the U.S. Congress and for the principals of participatory democracy.

Thank you.

Sincerely,

Renee Anderson,

Principal Account Holder

Hacker Valley Post Office Preservation Committee

Northern Webster County Improvement Council: Ad Hoc Hacker Valley Post Office Preservation Committee 358 Bryson Lane Hacker Valley, WV 26222 December 21, 2009

Postal Regulatory Commission Washington, D.C. 20268-0001

3044936565

#### To Whom It May Concern:

On May 22, 2009, the Hacker Valley community received a "Dear Postal Customer" letter from the USPS, stating that our post office would be "suspended" on July 2, 2009. In reality, our post office was closed on June 30, 2009, with only a 30-day notice. The reason for closure was stated to be due to the expiration of the building's lease. Before the closing date of June 30, the USPS was notified of the following documented and significant facts:

- The property owner was willing to reconsider and extend the lease until fall, allowing the USPS time to relocate to another facility.
- Community businesses and residents offered to build a new building to house the post office.
- The community was willing to make a vacated former school cafeteria building "postal ready" at local expense. This building is a solid block handicap-accessible structure built in 1981, located about 1/4 mile from the former post office, and was offered for lease to the USPS by the County Board of Education at a nominal fee.

In addition, the USPS was informed as early as 2004 that the lessor, due to health problems, no longer wanted to lease her building to the postal service, thus providing ample time to find an alternative site. Since June 2009, this committee has tried many times to communicate with the USPS (District Manager, Retail Specialist, Real Estate Office) about negotiating a new location, but, simply stated, we have been completely shunned by them. We have had no communication with the USPS since the day our post office ceased operating, despite our efforts.

As the PRC concluded in Docket A2009-1, Hacker Valley Post Office is one of many dozens of small rural post offices that the USPS has summarily closed, without providing temporary retail services during the suspension. We believe that the USPS ignored the intent of Congress, and our constitutional right to due process of law, when it suspended our post office. As far as we can tell, the USPS has done nothing to rectify or respond to this situation. Should the Hacker Valley community conclude that, because of USPS' failure to comply with the PRC's intent that the USPS provide interim retail services, they are regarding the order of Docket A2009-1 as an empty gesture? We are left wondering if, perhaps, we should seek legal recourse through the court system.

Hacker Valley is a strong and vital rural mountain community. It is home to Holly River State Park, Coastal Lumber's Hacker Valley sawmill, a state Division of Highways substation, several other logging and sawmill operations, a music theater, many cottage industries and numerous retail businesses, and is a tourist destination for people from all parts of the country.

The State of West Virginia has acknowledged the significance of this community by investing in a brand-new 8 million dollar K-8 elementary school for our children. This stands as a testimony, in a sense, to the overall solid character of Hacker Valley and its importance to the state. In the past ten years, we have received federal, state, and county taxpayer funding to develop and promote a nationally-recognized Byway and Backway, to build a Senior Citizen's Center, to renovate our firehouse, and to upgrade our roads and bridges. Holly River State Park has seen numerous improvements including development of a handicap-accessible walking trail, bike trail, conference center, and waterfalls overlook.

Our post office was an essential part of the community's infrastructure; its loss has created hardship for every local citizen. The average roundtrip travel time to the next closest post office is an hour and a half in good weather and much longer when the roads are wintry. Most of our 900 or so citizens, including a large senior population, do not live in close proximity to the former post office, but rather scattered about in the hills and hollows that make up the approximately 100 square miles of the Hacker Valley/Northern Webster County District, resulting in a much longer trek to get to a post office. To reach any other post office requires crossing at least one, and up to three mountains, with treacherous winter driving conditions at least 5 months of the year. In sum, traveling to another community's post office is not a viable alternative for Hacker Valley residents.

Sincerely,

Brian Van Nostrand Committee Chair

Buan Can Unterliand

Northern Webster County Improvement Council Ad Hoc Hacker Valley Post Office Preservation Committee 358 Bryson Lane Hacker Valley, WV 26222 November 15, 2009

Ruth Y. Goldway, Chairman Postal Regulatory Commission Washington, DC 20268-0001

Dear Ms. Goldway:

Since June of this year, the community of Hacker Valley, WV, has been struggling to cope with the loss of our post office as the result of an "indefinite suspension." We have been following closely the progress of our docket, A2009-1, and were heartened to learn of the PRC's conclusions, validating what we believed from the start, that "... the Postal Service is using its suspension authority to avoid the explicit Congressional instructions to hear and consider the concerns of patrons before closing post offices." Additionally, "These facts undermine any claim that the suspension of service to the Hacker Valley community reflected emergency action." In sum, postal patrons have been denied due process of the law.

We wish to express our gratitude and appreciation to the PRC for taking up our case, for representing the interests of our isolated rural community, and for giving us a voice in Washington. In this day, when so many have nothing but contempt for government and its functions, the docket proceedings that we are undergoing serve to restore one's faith in government. For your work, through the efforts of our Public Representative, Richard Oliver, we are most grateful.

We understand that the PRC does not have legal authority to force the USPS to reopen our post office, and that, for the time being, its existence remains in limbo. We were encouraged to see that a new docket has been created, PI2010-1, to further pursue the issue of "suspending offices for extended periods without affording the public the rights guaranteed by 39 U.S.C.404(d)," as it pertains to Hacker Valley and to 65 other suspended post offices across the nation. We support any efforts that the PRC might make to strengthen its authority over the USPS, and to influence Congress to alter the provisions of the enabling statute. It is our firm belief, that once a full discontinuance study has been performed, it will be obvious that a retail post office is urgently needed in Hacker Valley.

We strongly agree with the PRC's conclusion, that postal service to our community has not been preserved during this suspension process, even though mandated by Congress. On October 26, we once again contacted the USPS, requesting a temporary alternate retail presence, and have offered several viable solutions for a permanent replacement facility. Since July, we have heard nothing from the USPS.

Again, we wish to thank the PRC for representing the interests of the public, and its efforts to uphold the rule of law.

Sincerely.

Brean Van Nosternel Brian Van Nostrand.

Committee Chair

Cc: Richard Oliver, PRC

Betty Eichler, Bob Levi, NAPUS

Congressman Nick Rahall

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# DIVISION OF NATURAL RESOURCES HOLLY RIVER STATE PARK 680 State Park Road Hacker Valley, West Virginia 26222 Telephone (304) 493-6353 Fax (304) 493-6354 www.wvstateparks.com

Joe Manchin III

Governor

December 23, 2009

Frank Jezioro
Director

United States of America Postal Regulatory Commission Washington, DC 20268-0001

To Whom It May Concern:

As Superintendent of Holly River State Park located in Hacker Valley, WV, I am writing concerning the suspension of the post office in our community.

Holly River State Park is owned and operated by the WV Division of Natural Resources and has been opened to the public since 1938. The park consists of 8,101 acres and offers amenities such as ten vacation cabins, eighty-eight campsites and a swimming pool, game courts, hiking and biking trails, activities building, picnic shelters and a one-room school museum.

The suspension of the local post office by the postal service has had a significant impact on our operations.

Currently we must travel eleven miles south to the nearest post office in the community of Diana, WV, or eighteen miles north to the community of Rock Cave, WV, to conduct postal service business. Our mail is processed through the Rock Cave post office presently.

Simple tasks such as sending bulk mail or weighing and shipping packages have become time consuming, expensive and inconvenient. As an operation opened to the public, we are required to operate under guidelines and regulations set forth by other government regulatory agencies such as the WV Department of Health and the WV Division of Environmental Protection.

As a result, we are required to deliver time sensitive water and sewage samples for laboratory testing on a monthly basis. Instead of sending samples through the local post office as in the past, we now drive to the laboratory to hand deliver the samples

Postal Regulatory Commission December 23, 2009 Page Two

because they were not getting delivered within the time limits established for proper sampling.

This requires sending an employee on a four hour round trip to make the delivery. That is time taken away from the employee's job responsibilities on the park as well as wear and tear on our vehicle fleet.

When we were notified that the local post office would be suspended, we were given a choice of putting up a mail box on the rural route or signing up for a cluster box to be placed in Hacker Valley.

We have three employees living on the area in park residences. Park mail and employee's personal mail used to be delivered to the same post office box at the Hacker Valley post office. We inquired about placing separate boxes in front of park headquarters but were told that the distance to park headquarters from Route 20 was too great for the carrier to deliver.

Rather than placing boxes 1.4 miles from the park office on a rural route, we opted for the cluster boxes. We didn't feel comfortable exposing our park guest's personal information such as personal checks and credit card numbers sent through the mail to an uncontrollable environment.

We now must travel 4.2 miles to the cluster boxes to send or receive mail.

When the Hacker Valley post office was in operation, we picked up mail at 8:30 a.m. now we get delivery at approximately 2:30 p.m. Essentially, we are processing park business mail a day later than in the past.

In fiscal year 2009, we had approximately 130,000 visitors to the park. Approximately 27,000 of those were visitors who were staying in our overnight accommodations for extended periods of time. A great deal of those visitors conducted personal business at the local post office during their visit.

The suspension of the post office operations has not only affected park business operations but visitor convenience of services as well.

I encourage the Postal Regulatory Commission to use all measures within its means to intercede in the postal service decision to suspend or close the post office of Hacker Valley, WV.

Postal Regulatory Commission December 23, 2009 Page Three

Thank you for the opportunity to present my concerns on this matter.

Respectfully,

Ken McClintic

Superintendent

KM/mlj



# Jerry Run United Methodist Church

764 Cleveland Road Cleveland, West Virginia 26215 304-493-6532



December 8, 2009

Postal Regulatory Commission 901 New York Avenue, Northwest Suite 200 Washington, D. C. 20268-0001

Dear Sir:

This letter is in reference to our concern over the closure of the Hacker Valley Post Office. Although we do get most of our mail at our Cleveland address, we used the Hacker Valley Post Office for purchasing stamps and mailing packages for many years, particularly after the Cleveland Post Office was closed and our mail was routed through the Rock Cave Post Office.

The Hacker Valley Post Office was very important to our small rural church. We send cards to the ill and disabled every week. Also, we send sympathy cards when there is a death in our community or a relative of a member of our church. We average 20 to 30 cards a month and more on holidays. If we do not have sufficient stamps, we must make a trip to either Rock Cave or Diana, both some sixteen miles away, around thirty-two miles round trip. Our other alternative is to leave the cards in a plastic beg with cash. Our carriers do their best to serve us, but this approach certainly must be awkward for them.

Recently we mailed some twenty-two boxes of cookies to college students and military personnel. We traveled to Adrian (some twenty miles away) to mail the packages. These packages went to various places throughout the United States and one to Africa.

Since this is the Christmas Season, we would usually mail some packages and cards. This year we will need to limit our mailings due to the distance to our nearest post office.

We share these things with you to give you just a few examples of the problems that the closure of the Hacker Valley Post Office has created for us. Lack of good postal service is making us seriously consider other carriers to carry on our mission work. Please know that a post office is sorely needed in our community.

Sincerely,

Gracia Code

Amelia Anderson

Sunday School Superintendent

#### Hacker Valley School 11 School Loop Road Hacker Valley, WV 26222

Kennetha Parker Howes, Principal

December 31, 2009

#### To Whom It May Concern:

Hacker Valley School has relied on the Hacker Valley Post Office for several years to provide the many services that is needed for our educational facility to operate efficiently. Now that the Hacker Valley Post Office is temporarily suspended indefinitely (closed), the school has experienced many hardships providing needed communications to our parents and other associates.

Specifically, we have difficulty providing time sensitive letters to parents. If we send a certified letter to parents it is imperative that parents receive that letter as soon as possible because it involves matters normally related to students and their status. Now that we have a rural carrier, that process is slower resulting in times that parents have not been notified as quickly as possible about such things as student suspensions, parent bills, and student progress and records. Our secretary now leaves work at her station to go to the neighboring post office to send mail that is time sensitive. This is quite an inconvenience since the nearest post office is 12 miles away over dangerous mountains and curvy roads. This also detracts from the educational process since an employee is not on site resulting in an empty office. The school has limited staff and this leaves nobody in the office to receive parent calls or to handle emergencies. She cannot get to the post office before it closes otherwise.

It is the time of year when the Webster County Board of Education provides certified letters to employees about employment for the coming year. Most of the employees of Hacker Valley School live in the Hacker Valley area. They must travel to get to the post office to pick up said letters. The post office that services the Hacker Valley area closes before the employees have time to go to that particular post office.

In addition, at this time the school uses the "guess" method to add postage to letters. Much of our mail is over the normal weight and probably needs to be weighed. We at this time have no postal scale to utilize for this purpose. It sure would be great to have a post office to visit to take care of these letters.

Mailing packages is quite a challenge as well. Who knows what the postage will be? We have to wait for the carrier to take the package and weigh it and relate to us the postage needed. This is extremely untimely and inconvenient.

Our school understands that the USPS has an online component. However, a postmaster is much more knowledgeable about the best way to address postal matters. The Hacker Valley Post Office provided efficient services to Hacker Valley School. They gave us good advice and provided timely service. Additionally, the rural area in which we live experiences numerous power outages that result in loss of the Internet, thus limiting further the use of the online USPS component. For example, this holiday season the electrical power was out 5 days. It would have been impossible for the school to effectively do business if this had not been a holiday.

Additionally, Webster County Schools has offered the use of an existing building for the new Hacker Valley Post Office. At this time, nobody has contacted the school to even look at the building in depth or to discuss the use of the building. The building is handicap accessible and was used for student services this past school year. It now serves as an extra building on campus.

I would like the United States Postal Service to reopen the Hacker Valley Post Office. The post office is important to the school and to our parents and students providing needed services.

Sincerely

Kennetha Parker-Howes

**PO Box 111** Hacker Valley, WV 26222 July 29, 2009

Office of the Secretary Postal Regulatory Commission 901 New York Avenue, NW, Suite 200 Washington, DC 20268

3044936565

Re: Hacker Valley Post Office Hacker Valley, WV 26222 **Temporary Suspension** 

Dear Postal Regulatory Commission:

I am writing in support of our appeal to the temporary suspension of the Hacker Valley Post Office and our reasons for believing that the suspension should not have occurred and that the post office should be reopened.

It is incumbent upon the USPS to provide a maximum degree of effective and regular postal service when a post office is closed. I am writing on behalf of my own business and that of the several other 'cottage industries' located in the area served by the Hacker Valley Post Office to say that the USPS has not provided a maximum degree or even a reasonable degree of effective and regular postal service after the temporary suspension of the Hacker Valley Post Office..

I am a self-employed studio potter producing hand-made wheel-thrown pottery. My work has been shipped via the post office for the past 45 years to many different locations throughout the U.S. A typical shipment for me may consist of 4 to 6 boxes measuring 16 inches square and weighing from 20 to 40 pounds each. Currently I am unable to ship my product out of Hacker Valley because of the size and weight of the boxes. I have no choice but to drive to the next closest post office. Usually the Kanawha Run PO is closed, and travel to the

Diana Post Office, about sixteen miles away requires crossing Hodum Mountain, a slow and hazardous trip even in good weather. My best option is Rock Cave PO, 18 miles from my studio. Travel time to that PO is about 1/2 hour in good weather. However, during rain or fog and in the winter months when road conditions are poor and driving over the steep circuitous two-lane road through the mountains can take one hour or more one way, this trip is not a reasonable option for me and others in my area. If I do make the trip, when the additional time for the shipping process is added, it takes about 5 times as long as the entire round trip to the Hacker Valley PO in bad weather. The Hacker Valley Post Office has been centrally located and has been easily accessible all year round.

Also, the closure of the Hacker Valley Post Office voids the possibility of either shipping or receiving containers larger than the small packages and small number of packages permitted by the package bin at the cluster boxes which have been installed near the Holly River Grocery Store. Plus, there is no privacy, as all the packages are picked over and examined by all the cluster box holders who have access to the bin in the process of locating their own packages, the ones which will actually fit in the bin.

So, I would greatly appreciate your considering these comments in making your decision. We citizens of Hacker Valley feel that our post office was not lawfully suspended/closed and should be allowed to reopen as soon as possible.

Yours truly,

**Brian VanNostrand** 

Buan Van Horling

MVN:mvn

# Cindy's Bookkeeping 88 Hemlock Lane Hacker Valley, WV 26222 304-493-6369

January 08, 2010

To Whom It May Concern:

I am self employed and I have been preparing personal income taxes for the residents of our county, especially Hacker Valley, for the past 10-12 years. This year is going to be very difficult for me without a local post office. Some of my clients rely on the postal service to complete their income tax returns. Very often, I must have returns weighed prior to mailing either to the IRS or back to the client.

What am I to do this year????? The nearest post office is 25 minutes away, that is going to take about an hour of my time just getting there and back. I do NOT have an extra hour in my day, tax season is a short time of intense action. Nor do I have an official postal scale. Nor access to all the postage stamps I might need. Nor all of the other services the local post office provides, such as delivery confirmation, return receipt, etc.

In 2008, I was awarded the 2008 Entrepreneurship Award from the Women's Business & Training Center. I like to think that I received this award partly due to prompt client service. I, as a business woman, NEED a local post office to maintain my high standards of excellence!

Please reinstate our local post office! We are simply too far from another post office; we NEED one in our community.

Sincerely,

(original signed)

Cynthia A. Miller

#### Valley Woodworks 810 Cleveland Road Hacker Valley, West Virginia 26222

December 8, 2009

Postal Regulatory Commission 901 New York Avenue, Northwest Suite 200 Washington, DC 20268-0001

3044936565

Docket No. P12010-1

Dear Sir:

As you know, we have been without a post office since June 30, 2009, over five months! Our understanding was that it was a temporary closure. How long is temporary?

We operate a small woodworking plant, making kitchen cabinets and other wooden household furniture. We serve customers in central West Virginia. Occasionally we need to mail products to our customers. Prior to the closure of the Hacker Valley post office, we were two miles from a post office. Now that the post office has closed we are forced to travel 16 miles in either direction to mail a package - 32 miles round trip. Not only must one person take off from work, but also it is a loss of at least one man-hour from work. In addition there is a fuel cost. Our shop employs three men. We know this is a small number of employees, but the employment situation in West Virginia is such that every job is important and must be saved.

We wanted to let you know that the closure of our post office has exacerbated the shipping of our products. We trust that you are aware of the many problems facing small businesses in this day and age. The lack of a post office in our community is just one more problem.

We hope that the Postal Service has not closed our post office under the guise of a suspension. We trust they will promptly develop plans to reopen our post office.

We thank you for establishing Docket P-12010-1 providing us with a means of making comments.

Sincerely,

Steven Fisher

General Manager

Steries Fisher

# Jerry Run Summer Theater

## 824 Cleveland Road Cleveland, WV 26215

"Live Acoustic Music in a Rustic Indoor Theater" Dusty and Renee Anderson, Proprietors

#### To Whom It May Concern:

3044936565

Tourism has become increasingly important to northern Webster County in the last ten years. Visitors from around the West Virginia, surrounding states, and far beyond come to renew themselves in our forested mountains, fish the trout streams and hunt the hills, gather with far-flung family, and explore the crafts, music, and history our local culture has to offer.

Tourism opportunities in the Hacker Valley area include:

- Holly River State Park with its 88 campsites, 10 rental cabins, 3 large picnic pavilions, scenic waterfall overlook, pool, restaurant, game courts, nature program, miles of hiking trails, schoolhouse museum, annual festival, etc.
- At least 7 other locally-owned vacation rentals, including luxury cabins
- A live music theater featuring bluegrass and acoustic music on the weekends
- Numerous studio artists including 3 potters, a basket maker, several wood workers, guilters and fabric artisans
- The Mountain Parkway, a scenic Byway-Back Way drive featuring artist workshops, and historical and natural sites with signage
- Other retail businesses –grocery-deli-gas store, sports shop, restaurant, tavern. cabinet industry, two auto repair shops

Visitors to the area often require retail postal services, to purchase stamps and postal money orders, mail letters and postcards, or send packages such as gifts purchased from local artists, or items too cumbersome for air travel. Internet service is not available at Holly River State Park, nor at any of the rental cabins, making it difficult to use online postal services. In addition, vacationers sometimes forget valuable items in their rental cabins and ask to have them mailed to their homes. Without postal scales and Internet access, this becomes a challenge, frequently resulting in a minimum of 60 mile round trip to Buckhannon.

Tourists in northern Webster County expect to find basic community services to meet their needs. To travel one to two hours round trip, over several mountains, on potentially dangerous and always curvy mountain roads to mail a postcard or package is not conducive to a healthy tourism economy. A post office is a very basic service to have in a community, especially one as vital and yet isolated as Hacker Valley. Without a retail outlet, needed services are nonexistent.

Please consider our uniqueness and appeal to tourists, the geographic challenges we face every day, and the distance to other retail facilities when determining the outcome of this most important issue.

Sincerely,

Dusty Andrewson

Dusty and Renee Anderson

#### Hacker Valley Post Office Committee

#### February 8, 2010

This is in response to USPS Government Relations Representative statement, dated December 10, 2009, on the subject of retail services currently available at Hacker Valley, WV, addressed to Senator Robert Byrd and Congressman Nick Rahalf.

The USPS representative states that many retail services are available from the route carrier.

Our rural route carriers provide only three services, mail delivery, stamps, and receive outgoing mail.

Our rural route carriers do not offer certified mail, registered services, proof of mailing, insurance, express services, money orders, outgoing letter and package services when postage must be determined, can not deliver packages larger or more numerous than the cluster boxes can accomodate. Also, they do not provide selective service registration. Futhermore, if it is necessary to make a transaction with the route carrier, one must be there when the carrier arrives. This can vary up to 40 minutes earlier or later than the norm, and can involve waiting outdoors in all kinds of weather. (Many ride 4 wheelers or walk to their mailboxes.) For those who must work for a living, it is not feasible to miss work to wait on the route carrier.

Many of these services are computer dependent; many of our residents, seniors and otherwise, do not have computers and/or internet services. Therefore, they do not have the ability to take advantage of services provided on the USPS website.

It was stated by the USPS that our carriers provide "a veritable post office on wheels." This is a well-known myth among the many communites who have lost their rural post offices. The retail services promised have never been realized.

Northern Webster County Improvement Council Ad Hoc Hacker Valley Post Office Preservation Committee 358 Bryson Lane Hacker Valley, WV 26222 October 26, 2009

#### Dear Mr. Meimann:

As a community, we have been watching closely the progress of the Postal Regulatory Commission's docket, A2009-1, pertaining to the suspension of our Hacker Valley Post Office.

We were heartened to see the October 19 Order on Appeal validating what we believed from the start, that, "This history strongly suggests that the Postal Service is using its suspension authority to avoid the explicit Congressional instructions to hear and consider the concerns of patrons before closing post offices." Additionally, "These facts undermine any claim that the suspension of service to the Hacker Valley community reflected emergency action." We strongly agree that postal service to our community has not been preserved during this suspension process, even though mandated by Congress. One has only to listen to the complaints of those inconvenienced by the suspension.

We wish to reiterate the suggestions for a permanent replacement facility made to you at the meeting with members of our committee on June 29, 2009. Our School Superintendent, A. J. Rogers, and Board of Education continue to offer the former cafeteria building as an option. Resident and architect Bryson Van Nostrand submitted plans for a new facility to be bid and built locally to the Eastern Facilities Office, and received preliminary acknowledgement. Recently, Lela Marie Carter, leaser, offered in writing to renew the lease on her building, in light of the USPS's statement that it was willing to maintain the facility.

We are concerned that if and when the USPS initiates the determination process, we will not be properly notified, as the Rock Cave and Diana post offices are distant and inconvenient for those who work at our local sawmill, log yard, school, state park, and other small businesses. Many in our community, especially seniors, the disabled, and anyone for whom icy winter roads pose a barrier, could easily miss the posting of such notice at either of those facilities.

Finally, a temporary alternate retail presence within Hacker Valley could provide much needed relief for those needing money orders, letters and packages weighed and mailed, certified and registered mail, stamps, and postal information. Perhaps a trailer could be provided as a temporary facility so that our citizens can be provided with "a level of continuity of service consistent with the stated expectations of 39 U.S.C. 101(b) and 404(d)."

We hope that USPS will carefully consider our community needs, our willingness to cooperate with the USPS, and the intent of the U.S. Congress, as it comes to a decision in this most serious matter.

We respectfully request that a copy of this letter be included in the Discontinuance Study file.

Sincerely,

Brian Van Nostrand, Chair

Cc: Richard Oliver, PRC

Betty Eichler, NAPUS

Hon. Nick Rahall

Hon. Robert C. Byrd

Hon. Jay Rockefeller

Hon, Alan B. Mollohan

Hon. Shelley Moore Capito

3044936565

Hon. Joe Talbott

Hon. Randy White

Hon, William Laird

Gov. Joe Manchin

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June 22, 2009

Mr. Joseph Meimann, Acting District Manager U. S. Postal Service PO Box 59992 Charleston, WV 25350-9992

Dear Mr. Meimann:

I am writing to you on behalf of the residents of Hacker Valley, regarding the proposed closure of the Hacker Valley Post Office. It is my understanding that the current lease will terminate on July 2, 2009. Mrs. Marie Carter, the Leasor, has agreed to extend the lease until September 30, 2009, in an effort to continue providing postal services throughout the community and to allow the U.S. Postal Service additional time to find an alternative location.

At a time when our economy is being challenged, and small business owners work diligently to survive, it is so important that rural communities such as Hacker Valley have access to full-service postal facilities. I also want to point out the closure of this post office would have negative consequences for Holly River State Park, which is located near the center of the state in Hacker Valley, Webster County and is the second largest park in the West Virginia park system. I respectfully request that the U.S. Postal Service reconsider this proposed closure.

Once you have reviewed this matter, please advise me through the Beckley district office at the address listed above.

Please know of my desire to be of service to you whenever possible and I hope you will feel free to call upon me anytime that I can be of assistance.

Sincerely,

NICK J. RAHALL, II Member of Congress

NJR/kd

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GOVERNMENT RELATIONS

3044936565



December 8, 2009

The Honorable Nick J. Rahall, II Member of Congress 301 Prince Street Beckley, WV 25801-4515 RECEIVED RECKLEY DISTRICT OFFICE

DEC I OZDO

Dear Congressman Rahall:

This is in response to your November 13 letter on behalf of Mr. Brian Van Nostrand, Chair of the Northern Webster County Improvement Council, Ad Hoo Hacker Valley Post Office Preservation. Committee, regarding the Hacker Valley Post Office.

Thank you for sharing Mr. Van Nostrand's comments. I appreciate your interest in assisting him with his concerns about the possible discontinuance of the Hacker Valley Post Office and his request for a temporary retail presence in the community. As you are aware, the U.S. Postal Service remains a unique federal agency in that it receives no funding from Congress to support its operations. Like so many businesses today, the Postal Service is experiencing algnificant financial challenges related to declining mail volumes and the lackluster economy. In order to sustain universal mail service to the American people, we are looking at all operations and making adjustments to control costs while maintaining access to postal services for customers.

Appalachian District postal officials verified that the Hacker Valley Post Office was placed in an emergency suspension status when its lease expired on July 2. I understand the lessor notified postal officials that the lease for the facility could be renewed for an additional 3 month period. However, this offer was declined by the Postal Service's Facilities Service Office.

Hacker Valley customers who opted to receive home delivery service are currently being provided such by a highway contract route carrier. Post Office box service is available at the Diana and Rock Cave Main Post Offices. Additionally, customers can buy stamps online via our Web site at www.usps.com, by phone at 1-800-STAMP24, or by mail. It is important to note that customers served by rural carriers have access to many retail services that are available at the Post Office. Rural carriers can sell stamps. Certified Mail and registered services, Express Mail, and money orders. They also offer mailing supplies, collect outgoing mail, and accept packages.

It is the decision of the Postal Service's Appalachian District, with the support of its Eastern Area office, to continue with a Post Office discontinuence study. The Postal Service will adhere to the process as outlined in Handbook 101, Post Office Discontinuance Guide. Until the study has been completed, there is no further information that can be provided at this time.

Thank you for writing. If I may assist you with other postal issues, please let me know.

Sincerely,

James K. Cari

Government Relations Representative

475 L'ENFANT PLAZA SW WARHINGTON DC 20280-3500 WWW.UBPS.COM

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GOVERNMENT RELATIONS

3044936565



December 22, 2009

The Honorable Robert C. Byrd United States Senate Washington, DC 20510-4801

Dear Senator Byrd:

This is in response to your November 24 letter on behalf of Mr. Brian Van Nostrand, Chair of the Northern Webster County Improvement Council, Ad Hoc Hacker Valley Post Office Preservation Committee, regarding the Hacker Valley Post Office.

Thank you for sharing Mr. Van Nostrand's comments. I appreciate your interest in assisting him with his concerns about the possible discontinuance of the Hacker Valley Post Office and his request for a temporary retail presence in the community. As you are aware, the U.S. Postal Service remains a unique federal agency in that it receives no funding from Congress to support its operations. Like so many businesses today, the Postal Service is experiencing significant financial challenges related to declining mail volumes and the lackluster economy. In order to sustain universal mail service to the American people, we are looking at all operations and making adjustments to control costs while maintaining access to postal services for customers.

Appalachian District postal officials verified that the Hacker Valley Post Office was placed in an emergency suspension status when its lease expired on July 2. I understand the lessor notified postal officials that the lease for the facility could be renewed for an additional 3 month period. However, this offer was declined by the Postal Service's Facilities Service Office.

Hacker Valley customers who opted to receive home delivery service are currently being provided such by a highway contract route carrier, Post Office box service is available at the Diana and Rock Cave Main Post Offices. Additionally, customers can buy stamps online via our Web site at www.usps.com, by phone at 1-800-STAMP24, or by mail. It is important to note that customers served by rural carriers have access to many retail services that are available at the Post Office. Rural carriers can sell stamps, Certified Mail and registered services, Express Mail. and money orders. They also offer mailing supplies, collect outgoing mail, and accept packages.

It is the decision of the Postal Service's Appalachian District, with the support of its Eastern Area office, to continue with a Post Office discontinuance study. The Postal Service will adhere to the process as outlined in Handbook 101, Post Office Discontinuance Guide. Until the study has been completed, there is no further information that can be provided at this time.

Control of the second of the second

Thank you for writing. If I may assist you with other postal issues, please let me know.

Sincerely.

James K. Cari

Government Relations Representative

475 L'ENFANT PLAZA SW Washington DC 20250-3500 WWW.USPS.COM

November 13, 2009

Ms. Deborah Willhite, Senior Vice President United States Postal Service Government Relations 475 L'Enfant Plaza Washington, DC 20260

Dear Ms. Willhite:

I am writing to you on behalf of the residents of Hacker Valley, regarding the proposed closure of the Hacker Valley Post Office. It is my understanding that the Board of Education has offered the former cafeteria building as an option for the post office.

At a time when our economy is being challenged, and small business owners work diligently to survive, it is so important that rural communities such as Hacker Valley have access to full-service postal facilities. I also want to point out the closure of this post office would have negative consequences for Holly River State Park, which is located near the center of the state in Hacker Valley, Webster County and is the second largest park in the West Virginia park system. I respectfully request that the U. S. Postal Service reconsider this proposed closure.

Once you have reviewed the information, please contact me at the Beckley office at 301 Prince Street, Beckley, WV 25801.

Please feel free to call upon me anytime that I can be of assistance.

With warm regards, I am

Sincerely,

NICK J. RAHALL, II Member of Congress

NJR/kam

February 9, 2009

Ms. Karen Schenck, District Manager U. S. Postal Service PO Box 59992 Charleston, WV 25350-9992

Dear Ms. Schenck:

I am writing to you on behalf of Ms. Donna Boggs, (304) 493-6327, regarding the concerns she has raised in his inquiry of me. Please refer to enclosure.

Since this matter is under your jurisdiction, I am teferring it to you for your full consideration. Once you have reviewed the information, please contact me at the Beckley office at 301 Prince Street, Beckley, WV 25801.

Please feel free to call upon me anytime that I can be of assistance.

With warm regards, I am

Sincerely,

NICK J. RAHALL, II Member of Congress

NJR/kam

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February 5, 2010

### Post office closings upset rural communities

By P.J. DICKERSCHEID Associated Press Writer

Retha Casto doesn't pay her bills online, connect with friends through Facebook or use GPS for directions. So when the U.S. Postal Service decided after 153 years to suspend operations at the Hacker Valley post office, the 87-year-old woman picked up her pen.

"For God's sake and yours too please think of the people — not just the money," she pleaded to the federal Postal Regulatory Commission, which oversees the Postal Service.

Casto's three-page, handwritten letter has spurred the commission to investigate whether the Postal Service violated procedures or the will of Congress when it shut down Hacker Valley and 96 other post offices in 34 states over the past five years.

The cutbacks — which come as the financially ailing Postal Service struggles with a sharp decline in mail because of the Internet and the recession — have fallen most heavily on poor, rural communities, where the post office is not just a place to buy stamps, but a gathering spot where townspeople trade news and gossip.

The post offices are typically modest operations, situated in leased space in the back of general stores or in other buildings.

The Postal Service cited an emergency — soon-to-expire leases — in suspending operations at the nearly 100 post offices. Ultimately, 25 were officially closed, five are facing closure, and Hacker Valley and 64 others are in limbo. Only two have reopened, including one in McCausland, lowa, where community members held yard sales, pig roasts and bake sales to raise money to build a new post office.

At issue in the dispute is the distinction between closing a post office and suspending service.

Under federal law, closings require 60 days' notice, opportunities for public comment, an accounting of the reasons for the decision and an opportunity for residents to appeal. Suspensions, which are supposed to be used during natural disasters, health or safety hazards or unanticipated lease problems, do not carry the same requirements.

Under suspensions, "the office is not closed, but as far as customers are concerned it's not open," said Norm Scherstrom, a Postal Regulatory Commission spokesman.

Last fall, the commission said the evidence strongly suggests the Postal Service used suspension procedures at the Hacker Valley post office last July to skirt the closing requirements laid out by Congress. It rejected the argument that the loss of the lease constituted an emergency, noting that the landlord had given at least three years' notice.

The commission is still investigating the suspensions and could refer the matter to Congress. Townspeople in many of the communities — including Midland, Ohio; Coralville, Iowa; Crescent Lake, Ore.; Prairie City, S.D.; Laketon, Ind.; and Howell, Utah — are hoping Congress intervenes and rescues their post offices.

Postal Service spokesman Greg Frey declined to comment on the investigation.

Officials in the historic resort town of Crescent Lake say the suspension of their post office and loss of their own ZIP code caused confusion for search-and-rescue personnel called in after a plane crash and forest fire. Both times, rescuers mixed up Crescent with Crescent Lake and set up bases far from the scene, community members say.

They also note that an elderly man died on snow-covered roads driving to the next-closest post office 17 miles away.

The suspensions come as the Postal Service has raised rates, cut the number of employees from 800,000 to 623,000 and eliminated 12,000 carrier routes because of a \$7 billion deficit. It is also looking at additional cuts, including the closing of hundreds of post offices, Frey said.

"Life is changing," he said. "We have to make customers understand there are other ways to get the services we provide."

Retired postmaster Betty H. Eickler of New Paltz, N.Y., said she understands the Postal Service is losing money, but closing rural post offices, which account for about 1 percent of its expenses, is not the answer.

"They think everyone has a computer, but they don't," she said.

Hacker Valley, a town of 570 that is home to West Virginia's second-largest state park, is one such community. Its dozens of basket weavers, furniture makers, potters, quilters and musicians cater to thousands of tourists each year who enjoy the region's natural springs, waterfalls and other outdoor attractions.

Before the Postal Service shuttered the Hacker Valley office, it held a public meeting to tell residents the building's lease had been terminated, the post office was losing money and a building freeze would prevent the construction of a new office.

Despite the community's offers to build a new facility or bring the existing building up to code at no cost to the Postal Service, or lease a recently vacated school cafeteria building for a nominal fee, "the USPS thumbed their noses at us," said Brian Von Nostrand, a potter and chairman of the local committee to reopen the post office.

Casto, like many of her neighbors, embraces her isolation and independence, and resents having to drive 21 miles on winding mountain roads to the nearest post office.

"it don't make sense to me," she said. "We need our post office."

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in this Jan. 21, 2010 photo, Retha Casto smiles inside her home in Hacker Valley, W.Va. A letter the 87-year-old woman wrote to the Postal Regulatory Commission prompted it to open an investigation into whether the U.S. Postal Service violated regulations to shutter the Hacker Valley Post Office and 96 others in 34 states. (AP Photo/P.J. Dickersheid)

this afternoon Pizza Boyil pregame in Sports, 1B

FINAL EDITION

50 CENTS

DECEMBER 26, 2009 CHARLESTON, WEST VIRGINIA

MOSTLY SUNNY HIGH: 44 LOW 31

DETAILS, MA

# Gazette-Mail

# Jet bombing fails; al-Qaida linker

Report: Nigerian Muslim subdued by other passengers as airliner landed in Detre

By Larry Margasak, Lars Jakes and Jim Irwin

DETROIT — A Northwest Airlines pas-scriper from Nigeria, who said he was scring on al-Quida's instructions, set off an explosive device Friday in a failed terrorist attack on the plane as it was landing in Detroit, federal officials said Flight 253 with 278 passengers about was 20 minutes from the air-

port when it sounded like a firemack

er had exploded, witnesses said. One passenger jumped over others and tried to subdue the man. Shortly afterward, the suspect was taken to a front row seat with his pants cut off and

this legs burned.

White House officials said they believe it was an attempted act of terrorism and stricter security measures were quickly imposed on sighte trav-el, but were not specified. Law enforcement officials identified

the suspect as Umar Parouk Abdul Mu-

tallab. Others had slightly different spellings.

One law enforcement source said the

man claimed to have been instructed by al-Qaida to detonate the plane over .S. soil. "It sounded like a firecracker in a pil-

lowcase," said Peter Smith, a passenger from the Netherlands, First was a pop, and then [there]

SEE TERRORISM TRY 11A



This Airbus 330 had at least 278 people onboard during the reported attack at

# **Hacker Valley post office sparks inquiry**

Fight to save service leads to national review of closinas

By Rick Steelhammer

ACKER VALLEY - Residents ACKER VALLEY — Residents up in arms over the suspension of operations at a tiny Webster County post office have prompted federal authorities to launch a pational review of how the U.S. Postal Service goes about closing many rural

post offices.

At issue is whether the Postal Service uses an "emergency suspension" process to bypass formal public hearings and other due-process steps to effec-tively close certain post offices. That includes 97 shut down over the past five years, in circumstances similar to those in Hacker Valley. The Hacker Valley Post Of-

fice, housed in a green, trailer-augmented cement block build-ing along WVa. 20, has been closed since July 1 under an emergency suspension by the Postal Service

rosau service.
Residents complain that they first heard their post office might close in a public notice issued 17 days before a public meeting on the emergency suspension.

pension.

During the June meeting, they say, Postal Service officials told them the lease had been terminated for the existing post terminated for the existing post office, which was issing money, and no suitable replacement location had been found. Also a building freeze was in effect, so a new post office building probably wouldn't be built.

"The Postal Service representation beginning to be about the postal service representation."

sentatives basically told us it was all over for the post office," said Brian Van Nostrand, a Hacker Valley potter who heads an ad hoc citizens' committee to



Closed since July, the Hacker Valley Post Office's empty parking lot greets travelers along W.Va. 20.

save the post office.
"We stood out in the min, because we couldn't all fit into the senior center where they held the meeting, and they told us there was nothing they could do," said Janet Fisher, who works at the Holly River Store,

works at the Holly River Store, a short distance up the highway from the post office.
For 86-year-old Retha Hinkle Casta, it seemed "like the postal department already had their mind made up to close the post office before letting the people know," as she wrote in a letter to the federal Postai Regulistory Commission. ry Commission.

Postal Service officials say they conducted a survey in 2005 to try to find an alternative site for the Hacker Valley Post Of-

SEE POSTAL 11A



Donna Boggs is one of many Macker Valley residents Rohting keep a post office in the community

**HEALTH INSURANCE BENEFITS** 

# **PEIA** auditin dependents' eligibility

State says it's looking for fra

By Alison Knezevich

Public employees and re-Public employees and intrees will need to dig up documents to prove that their kids, spouses and other dependents qualify for coverage offered by West Virginia's Public Employees

Insurance Agency.

If they don't, their dependents' or be canceled. coverage could

PEIA is conducting its first full-scale dependent el-igibility audit of all policy-bolders who have dependents, said state Department of Administration spokes-woman Diane Holley-

Brown.
"This is very common with businesses and other government organizations," Holley-Brown said. "The goal is to make sure that we're covering employees that are truly covered under PEIA and that their de-pendents" also qualify.

The state wants to sure that policyh-aren't claiming as d ents people who don such as ex-spor children ages 19 and who aren't enrolled fi

The reviews are po two-step project that with agency heads; ing payroll data to that employees qual PEIA coverage, I.

rown said. Dependent-eligibili dits are becoming in ingly popular as emit look to keep healt costs in check. Watson What, a

benefits confulting on ny surveyed large U.S panies in 2009 and that more than 60 p conducted such revi-2009 — up from few 50 percent in 2007. 50 percent in 2001.
PEIA has contracte

**Hostage-take** has extensive criminal reco

FROM PAGE 1A

tory Commission. query from the Postal Regulano replied in response to a Service attorney Anthony Alvercould serve as a potential post office was not available," Postal "One existing structure that since the community's new ing, vacant only a few months

vice's standards for post office sites." not meet all of the Postal Seroccupied by businesses or did buildings in the area were either cording to Alverno. "The other buildings were available," acmined that no other suitable Facilities Service Office "deter The Postal Service's Eastern

Hacker Valley." was conducted later, which de-termined "that there were no suitable alternative sites in Alverno said a second survey

available structures. post office in one of several plenty of time to relocate the the lease for four years, and had dents counter that the Postal ing's owner's plan to terminate Service had known of the build-However, Hacker Valley resi-

no longer wants to manage it, widow with health issues who current post office building, a The woman who owns the

> offered to extend the lease un-til the Postal Service could find ementary School cafeteria build nal fee, the old Hacker Valley Elboard has offered, for a nomicording to Van Nostrand. a replacement structure, ac-The Webster County school

for free to better accommodate tered to renovate the caleteria said Van Nostrand, who said cessible and has all the utilities," school opened. community volunteers have of "It's already handicapped ac-

vice, according to Van Nostrand fice building, offered to build a new post office building free of the Postal Service's facilities building and submitted them to Nostrand, drew up plans for the hannon architect Bryson Van then lease it to the Postal Sercharge on donated land manages a mill near the post of xeadquarters in Greensboro, N.C. Van Nostrand's son, Buck-Bill Lake of Sun Lumber, who pure

only looked at one - the caremittee. "As far as we know, they didn't want it because it wasn't teria building - and said they post office," said Donna Boggs, tified where they could have a member of the citizens' com-"We had several places iden-

easy to see from the road [W/Va

have little difficulty spotting it from the highway, Boggs said.

Dozens of Hacker Valley reshave no trouble finding the School Postal patrons would structure, and passersby would Hacker Valley Elementary centerpiece, the recently opened from the community's \$8 million highway, across the parking loa cated a short distance from the The cafeteria building is lo-

plain about the hardships posed Regulatory Commission to comidents have written to the Postal by closing the post office

on winding mountain roads. or Diana, about 14 miles away maining post offices — usually in Rock Cave, 20 miles distant, drive to one of the nearest re-Hacker Valley area now must or oversize packages or buy money orders, residents of the To pick up prescription drugs

"It's a big inconvenience," said

most of the people who live here are seniors. Having to drive an fore they close to get their mon-ey orders," said Boggs, "And these mountain roads to pick up hour or more round-trip on drive to another post office benit enough time for them the mill get off work, there is "When the guys that work at ಕ

a package or their medicine is asking a lot of them."

While community residents

suspension of services at Hacker Valley, the Postal Service arasked the Postal Regulatory Commission to look into the gued that the commission lacked unisdiction to do so.

view the Postal Service's aclished process in which to repermanently closing the post of that since it had not launched a fice, the PRC had no discontinuance study" to begin The Postal Service maintained

tober ruling the commission did urge the Postal Service to "rethe emergency suspension process" to close post offices like frain from the improper use of Service to reopen the Hacker Valley Post Office. But in an Ocno authority to order the Postal lacker Valley. The PRC agreed that it had

structions to hear and consider "History strongly suggests that the Postal Service is using closing post offices," the comthe concerns of patrons before the explicit congressional inits suspension authority to avoid

and effectively closed during the of all post offices "suspended" Postal Service to provide a list The PRC also asked the

> past five years due to lease expirations like the one at Hack-

post offices were eventually closed following discontinuance permanent closure proceedings procedures, and 5 more face opened. Twenty-five of the and only two had been rerations during that time period nationwide through lease expithat 97 post offices had closed The Postal Service responded

through suspension by the Postal Service. many of them for years limbo but effectively closed That leaves 65 post offices

vice apparently has taken no efber of years, and the Postal Serident that several post offices ices due to suspensions. It is evsion "is concerned that post of-fice customers throughout the cal post offices and their servfiled in November, the commishave been suspended for a murnnation do not have access to lo-According to a PRC notice

ing them to simply remain susclosure proceedings process called for in permanent public hearing and appeals Based on input from the Hacker Valley case, the Postal Service may be avoiding the pending post offices and allow-

such offices." fective action to reopen or close

pended without any action," the PRC concluded in its notice.

pension, according to postal rules, according ton the PRC.
The November fling by the nently close a suspended post of ed within 90 days of the susfice is supposed to be complet-A plan to reopen or perma-

of this matter." "to better understand the scope that the commission was initi-PRC included an announcement ating a national public inquiry

bual practice sentation on how written progency suspension of post of oedures related to the emerten comments by Jan, 15, and to develop "an accurate reprelices are being adhered to in ac to work with the Postal Service appointed a public representative ed post offices to provide writ-It invited patrons of suspend

on a \$200-a-mornth post office.
Reach Rick Shellhammer a to find a home to buy or rent." "Hacker Valley is a vital community," said Van Nostrand "Peo new \$8 million school," said then we fought hard to get ou and painting it ourselves, "We worked for years to keep our old school open, re-roofing ple want to stay here. It's hare see on eas thow ew.

isteelhammer@wwgazette.co

FROM PAGE 1A

∞ 3el from one of the bullets fired in the 5 oom, but wasn't seriously injured. an AK47 assault rifle at a July school coard meeting. Karen Taylor, a Capital Non fire, then fired three rounds from High School teacher was hit by shrapa bucket of gasoline, tried to light him County Schools, doused his boss with

> in the incident wounding and wanton endangerment Bright was charged with malicious

ings. No motive for the crimes was disof apparently random super shootstores in Kanawha County in a series shot and killed outside convenience Just weeks later three people were

covered, although ballistic tests showed that all three victims were shot from a distance with the same 22-caliber rifle. In city government, Charleston City Council passed a \$1 user fee, deduct

ed out of each person's paycheck, streets within two years. 30 additional police officers on city maintain streets as well as put up to which would be used to pave and

November damaged hundreds of homes and left millions of dollars of Flash floods again terrorized the southern coalfields and the Charleston area. Floods in February, June and damage in their wake. Also in 2003:

■ Multimillionaire Powerball winner

Pony Strip Club in Cross Lanes. drugged and robbed of more than \$500,000 in the parking lot of the Pink Jack Whittaker alleged that he was

with second-degree robbery. selves in to police and were charged at the club shortly after arriving at the scene. Jeffrey Caplinger, 23, a manager at the strip club, and girlfriend Misty Dawn Arnold, 24, turned themin cashier's checks behind a Dumpster investigators found the briefcase containing \$245,000 in cash and \$300,000

connected with the crime, charges were Although the two admitted to bein

■ The 240,000-square-foot Clay Certer for the Arts & Sciences of West Vi the sciences under one roof - one es the performing arts, visual arts an ginia opened in July. The center hou the few centers of its kind in the cour

kattiryng@wwgazette.co or 304-348-511 Reach Kathryn Gregory

# TERRORISM TRY

EDUNI DYCE 14

Richard Reid, who tried to destroy a trans-Atlantic flight in 2001 with explosives hidden in his shoes but was subdued by

subdued immediately and the crew requested that law enonboard Northwest Airlines Flight 253. The passenger was

Thanksgiving through Jan. I. At the time, intelligence officials about the threat picture for the 2009 holiday season from

day until it was on final approach to Detroit, said Federal woman Elizabeth Isham Corv Aviation Administration spokes-

held and treated in an Ann A Nigerian passenger was beir An intelligence source said the

29

PAGE

#### McMillion, Kim

From: Sent:

Brinton, Jessica

Tuesday, June 23, 2009 11:12 AM

Subject:

Rahall Urges U.S. Post Office to Reconsider Hacker Valley Closure



FOR IMMEDIATE RELEASE June 23, 2009

Contact: Diane Luensmann (202) 225-3452

#### Rahall Urges U.S. Post Office to Reconsider Hacker Valley Closure

BECKLEY, W.Va. - U.S. Rep. Nick J. Rahall, II (D-W. Va.) today formally requested that the U.S. Postal Service (USPS) immediately reconsider its planned closure of the Hacker Valley Post Office. Today's effort is the latest Rahall has made over the last several months on behalf of the residents of Hacker Valley, as part of an on-going discussion Rahall has had with USPS officials about the local office.

"At a time when our economy is being challenged, and small business owners are working diligently to survive, it is so important that rural communities such as Hacker Valley have access to full-service postal facilities," said Rahall.

Rahall has strongly urged the U.S. Postal Service to postpone any action on closing the office until September 30, 2009, in an effort to allow local postal officials time to find an alternative location. Over the years, the Postal Service has closed hundreds of small post offices throughout West Virginia, often claiming no viable alternative sites were available when an existing location is no longer suitable or available. Individuals who may have appropriate properties available, should contact the Postal Service and Rep. Rahall's office.

"The Postal Service should serve every community, not just large metropolitan cities," said Rahall. "I have asked postal service authorities to reconsider their plan to avoid unnecessary hardship for the citizens in this small, yet important, community, who depend so much on their local post office and who pay taxes just like the citizens in the big cities."

Webskr Echo June 24, 2009 Nijosla Spg S. WV 26288

reconsider Hacker Valley closu

s the latest Rehall has when an existing location small post offices throng tive sites were availab no longer suitable or ava claiming no viable alter ternative location. Over esidents of Hacker Valley schave appropriate propert able. Individuals who years, the Postal Ser out West Virginia, ussion Ranall has hader onsider its planned cloost Office. Today's effort nade over the last several? nonths of the ure of the Hacker Valley vith USPS officials about nat the U.S. Postal Services USPS) immediately repart of an on-going disne local office.

cities," said postal service authorities to reconsider their plan to ship for the citizens in this Rahalli 1. have asked avoid unnecessary hardsmall, yet important, com munity, who depend inged, and small business ently to survive, it is so "At a time when our conomy is being chalwners are working dillinportant that rural com-

Rahall has strongly unities such as Hacker ged the U.S. Postal Serce to postporte any action alley have access to full



# PRC Expands Look at USPS Suspension Practices

s 2009 drew to a close, the Postal
Regulatory Commission (PRC)
forcefully answered NAPUS' longheld charge that the Postal Service is
abusing its temporary emergency suspension authority to close post offices. Recent articles have
reported how the NAPUS Post Office Closings and
Consolidations Committee intervened in the case of
Hacker Valley, WV (A2009-1).

The PRC took the USPS to task for the way in which it denied Hacker Valley residents their postal service. More recently, the PRC docketed another questionable suspension: Cranberry, PA (A-2010). Once again, NAPUS intervened, stressing that the Postal Service uses lapsed leases and Postmaster vacancies as cover to justify shuttering post offices.

3044936565

The PRC has taken our assessment to heart and has opened a new docket (PI 2010-1) that will investigate suspension abuse on a nationwide basis. The Post Office Closings and Consolidations Committee is working with communities adversely impacted by illegitimate suspensions to help with their submissions to the PRC in this new docket, as well as providing its own input into this long-awaited review.

Protecting post offices is only one component of a sustainable mail service. Over the congressional Thanksgiving recess, I took time to visit my oldest son, who is spending his posthigh-school year studying in Israel.

In ancient Israel, there was considerable concern about the absence of a community post office (a bayit do-ar). According to biblical sources, full mail service was denied to towns that lacked such an institution. Mail could not enter towns without post offices on Friday. Moreover, letters addressed to residents of these towns could not even be sent if the correspondence could be delivered on Friday or Saturday (the Sabbath).

The fear was towns without post offices could not guarantee the delivery of mail before sunset on Friday, Sabbath eve. Interestingly, the do-ar (Postmaster) was the highest ranking town official.

Jerusalem Post Office

While in Israel—that is, modern Israel—I visited a few bayit do-areem and spoke to a number of employees. Much like post offices in the states, the facilities are ubiquitous government institutions on which Israeli citizens depend; the workers are dedicated and trusted. Postage is comparable

**Bob Levi** Director of Government Relations



to USPS rates. It's not really fair, though, to compare a nation the size of New Jersey to our country.

A major difference between our post offices and large Israeli ones is the presence of armed security guards and metal detectors. I had to get permission from security and the Postmaster to take pictures. Yes, the agency sells stamps—some of which are quite attractive—and markets flat-rate parcel transport.

However, Israeli postal facilities offer more to their customers than the U.S. Postal Service does. For example, there are few lines in large postal facilities. And it's not for the lack of lobby traffic; rather, customers can sit down until their numbers are called. In addition, the main Jerusalem Post Office has video monitors promoting particular postal products or showing local news.

But, more importantly, the Israeli Post sells so much more than just stamps—a USPS deficiency highlighted by PMG Jack Potter in his recent National Press Club address. The Israeli Post accepts payment for all utility bills and governmental transactions, including driver licenses and municipal fees.

Post offices also change currency, provide rudimentary banking functions and are Western Union representatives. There are automatic teller machines in the lobby where postal customers can make deposits and withdrawals. Also, free-standing computer consoles provide Internet access.

A new service the Israeli Post offers is automobile insurance. Although the agency doesn't underwrite the policies, it serves as the sales agent for about five different insurers. Adjacent to the post office lobby is the postal store. It has a philatelic section where customers can buy stamps, envelopes and postcards. But its product line does not end there.

The store provides a wide variety of products. Need office supplies, ink cartridges for your computer printer, light bulbs, magazines or greeting cards? The store has it all, and more.

In order to sustain itself with diminishing hard-copy correspondence, the Israeli Post has diversified and maximized the

use of its facilities. This is a strategy Congress must allow our Postal Service to explore more fully.

Nevertheless, it is important to recognize there are few countries in the world that can compete with the affordability, efficiency and productivity of the U.S. Postal Service. 

■



# The New Year-and New Challenges-Are Here

By Paul Edd Butler, PM Retired president

t's hard to believe it's time for my first article as president of NAPUS PM Retired. I have to pinch myself often to get used to the idea I really have been elected to this position. I knew a lot of responsibility went along with the office, but there is even more than I was aware.

I have spent many hours in thought and prayer over selecting retirees to serve in the various committees and areas. They are willing to go the extra mile to ensure this organization is going in the right direction and will survive the many milestones we will face.

I want to thank those who have agreed to serve in the different capacities. As has been said before, it's not my or your organization—it's our organization. By working together, we will find the answers to each problem we face.

I encourage each committee chair to give this assignment your very best shot and stay in touch with your committee members; keep all retirees informed on what is going on with the Postal Service. We can work through each obstacle and I am asking for your support to help accomplish this,

We will be facing some real challenges and changes. Not all of them will be to our liking, but we will survive. And who knows, maybe things will be better than before. I am not against change, but I want to make sure the Postal Service still is dedicated to delivering the mail. After all, this always has been the main objective of all our efforts.

I'm always available for whatever suggestions you may have. I will make mistakes, not intentionally, but I am human. I want to be successful and represent retirees and active Postmasters

in a dignified manner.

My main objective is for us to work together as a unit. I know we will not all have the same ideas for solutions to problems, but I hope we can agree to peacefully and cordially disagree.

> The Leadership Conference is fast approaching. We will

travel to Washington, DC, in March to visit our senators and representatives to. once again, inform them of our concerns and seek their help finding answers to these issues keep you in His arms. 300

I believe our PM Retired numbers will be increasing as more and more Postmasters become eligible to retire: that is good for us. We need to make sure they sign 1187Rs and opt to have their dues automatically withheld.

Janiece Taylor, our Membership chair, and her committee are working on the membership contest; Retirees have a great opportunity to recruit new members-active and retired.

I hope all of you had a wonderful Christmas and a happy New Year's filled with good health and loving famity. I am looking forward to seeing all of you in March,

Until then, keep on smiling, look for the good things in life and be positive about everything, May God bless and

# All Politics Is Local-Except in Hacker Valley

By Buzz Snyder, PM Retired Legislative chair

stopped in at our local bookstore recently and asked the sales clerk to direct me to the self-help section. She replied that if she told me where it was, it would defeat the purpose.

Okay, that's a joke, but it seems relevam. In the October/November Gazette. then Area 6 Vice President Jim Bibey did a great service to Postmasters with his chronicle of the Hacker Valley, WV. Post Office's battle for survival.

It was a case study in how a small community can refuse to see its post office slip away under the guise of "emergency suspension" when its citizens step up and challenge the Postal Service to meet its statutory responsibility in the post office suspension/closure process. With the help of NAPUS retirees, the people of Hacker Valley said. "Not in our town!" They went to the Postal Regulatory Commission.

Since that article was written, there has been more good news-both for

Hacker Valley and for protecting the integrity of the process in general, Spurred on by the West Virginia case. on Nov. 9, the PRC opened a docket (investigation) to more broadly examine the Postal Service's practice (and implicitly, possible misuse) of the openended emergency suspension of offices as a back-door method to achieve the de facto closure of a post office.

It long has been apparent to our PM Retired Post Office Closings and Consolidations Committee and its chair. Betty Eickler (sometimes affectionately called "Betty the Bulldog"), that the USPS routinely seems to use the gover of lease expiration to suspend a post office. This, without necessarily per forming the required due diligence in seeking alternate quarters or other actions mandated by law.

In many cases, it's fair to conclude that USPS officials seem to hope the community will not notice or, if they

do, will feel resigned to losing. And, as a result, will not avail themselves of their right to fight for their post office.

The PRC Notice and Order on this subject appeared to reflect the commission's suspicion of such abuse of the suspension option based on the information it requested from the USPS on numpers and the length of such suspensions. It stated. 'The commission is concerned that post office customers throughout the nation do not have access to local post offices and their services due to suspensions. It is evident that several post offices have been suspended for a number of years, and the Postal Service apparently has taken no effective action to reopen or close such offices."

The PRC statement concluded, "It is not sufficient to simply suspend operations at a post office without promptly developing a plan to reopen or close the existing office." The record is clear that. in dozens of recent cases, the Postal Service tailed to do either.

We NAPUS retirees all need to be the equivalent of the bookstore clerk who does direct seekers to the self-help section. That is, educate members of

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communities with endangered post offices who don't know where to turn to appeal suspensions and closures because the USPS is not being straight with them on their rights and its legal duties in the process.

Bulldog Betty and her committee

PAGE 32 have done heroic work in that nunction PAGE for many years, but it beliooves all of us to share that vigilars activism and refer possible cases to her. With the scrutiny of USPS practices the PRC now has begun, the self-helping citizens of Hacker Valley have already struck a blow for due process against the dynical abuse, or even violation, of the closure/ suspension rules to which the Postal Service is subject.

Let it be a model for other communities, as well. #

# Stop the Junk E-Mail

By Paul Youtsey, PM Retired e-mail coordinator

o you know how to forward emails? Do you wonder why you get viruses or junk mail?

Every time you forward an e-mail. there is information left over from the person who got the message before vou--e-mail address and name. As the message gets forwarded along, the addresses build. All it takes is one poor sap with a virus to send that virus to every e-mail address that comes across his or her computer.

Or someone can take all those addresses and sell them. How do you stop it? Here are several easy steps:

- 1) When you forward an e-mail. delete all the other addresses that appear in the body of the message (at the top). You must first click the 'forward' button in order to have editing capabilities.
- 2) Whenever you send an e-mail to more than one person, do not use the To: or Co: fields for adding addresses. Always use the Boo: field for listing addresses so the people to whom you send the e-mail only will see their addresses.

If you don't see Beet, click on To: and your address list will appear. Highlight the address and choose Bcct. When you send to Bcc:, your message automatically will say, "Undisclosed Recipients" in the To: field of the recipients. If that phrase does not appear, type your own e-mail address in the To: field, but put everyone else's address in the Bee: field.

- 3) Remove any "FW:" in the subject line. You may rename the subject.
- 4) A) ways his your forward button from the actual e-mail you are reading Do you ever get e-mails in which you have to open 10 pages to read the one page with information? By forwarding from the actual page you wish someone to read, you stop the recipient from having to open many e-mails. If you can't forward from that page, copy the info. open a new e-mail blank page and paste the copy.
- 5) Have you ever gotten an e-mailed perition? It asks you to add your name and address and then forward it to 10 or 15 people or your entire address book. As the e-mail is forwarded; it collects thousands of names and addresses.

The completed petition is worth something to a professional spammer because of the many valid names and e-mail addresses it contains. If you want to support the petition, send it as a personal letter to the intended recipient. And don't believe the ones that say the e-mail is being tracedist just isn't

Before you forward an alert make sure it's valid. Just about everything can be checked out at www.snopes.com. If it's not real, don't pass it on. Let's stop the junk mail and viruses! we

## Officers' Forum

## WV Community Speaks Up to Save Its Post Office

By Jim Bibey, vice president, Area 6

Nestled in Webster County, West Virginia, is the small, rural community of Hacker Valley. This peaceful little community recently received some dreadful news about the potential loss of one of its most important services: the post office.

To the surprise of the residents, they were informed by the Postal Service with a "Dear Customer" letter that the Hacker Valley Post Office would be suspended on close of business on June 30. 2009, due to the lease agreement expiring. Needless to say, many of the town residents were shocked and surprised, as well as upset to find out that they would be losing this important and vital part of their community.

They raffied rogerher to discuss what they could do to ward off this major intrusion into their daily lives. Determined to fight to keep their post office open, Hacker Valley resident Retha Hinkle Casto sent a letter to the Postal Regulatory Commission objecting to the closing. She was helped by Post

Office Closings and Consolidations Committee Chair Berry Eickler and her committee.

On July 1, the PRC notified the USPS of the letter from Casto objecting to the closing. On July 6, the PRC posted a Notice and Order Accepting Appeal and Establishing Procedural Schedule, which in part designated Richard A. Oliver as the public represeritative to represent the general public.

On July 15, the Postal Service filed a Motion to Dismiss Proceeding using the argument it had not initiated a discontinuance study to close or consolidate the Hacker Valley Post Office and the operations currently were suspended due to the lessor's refusal to renew the lease. A July 17 letter to the PRC from Hacker Valley resident Brian Van Nostrand serted, in part, "We are protesting this suspension because there was a viable alternate location to have the post office and the landlord agree to extend the lease until October 2009,"

He also explained the landlord had

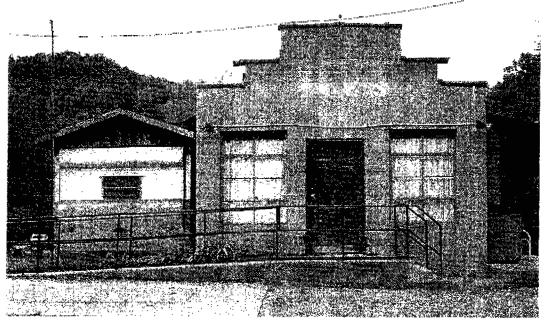
sent information to Real Estate 10 days before the suspension and that she would extend the lease to give the community time to refurbish the alternate site. In a separate letter to the PRC from Montie Van Nostrand, she informed the commission the USPS had in its possession a copy of the extension to the lease.

She said the USPS had information of an alternative site for the post office in a suitable facility nearby, offered at little or no cost to the USPS, and information regarding the offer by local busi nesses to construct a new facility to USPS specifications for leasing.

She also stated in her letter, "As the process to close our post office continues, it is believed by our community that the USPS hopes out citizens will tire and simply accept and adjust to the lower-level, mediocre posud service that has been furnished after the temporary suspension of our post office. We feel the spirit of the law has been violated by the USPS,7 The PRC received several other letters from community residents asking that their post office be saved.

On July 22, Oliver submitted a Response of the Public Representative iti Opposition to the USPS Motion to Dismiss Proceeding pending the receipt

of additional information regarding the status of the Hacker Valley Post Office, In this document, be stated the facts presented so far did nor permit the commisdon to reach a ren somed document regarding whether operation of the Blacker Valley Post Office had been sax pended be whether the Postal Service had, in fact, alreads determined this post office should be closed. He recommended the proceed-



ing should be held in abeyance pending the submission of additional information by the Postal Service.

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On July 31, the PRC requested a written response from the USPS to several questions regarding this case to help them complete their records. Among the questions asked: "How much effort was made to locate an alternate site?" "Over the past five years, how many post offices had been suspended due to expiring leases?" "Of those, how many were subsequently closed, reopened or currently are pending to be closed?"

On Aug. 14, the USPS responded to the request for information by the PRC with a response to each question presented. As to the question of its effort to locate an alternate site, the letter stated that, in the initial survey, no suitable sites were found. But the Facilities Service Office now has advised that a proposal to design and build or convert an existing structure that would meet postal requirements could be feasible.

In response to the question of number of suspended offices in the past five

years, the USPS stated 97 offices have been suspended due to lease expiration. Of that number, 25 were closed, two reopened and five currently are pending. (I found no mention of the status of the remaining 62 affected offices.)

The information gathered to write this article mostly was taken from the Postal Regulatory Commission's website, docket number A2009-1. I would recommend researching this on your own and reading over the entries submitted with this case. There were 38 letters submitted from Hacker Valley residents and concerned citizens objecting to the closing of their post office and of their frustration in their attempts to communicate with the USPS.

I wrote this article with facts taken from public documents, with no attempt at or suggestion of being involved in the process of the suspension of operation of the Hacker Valley Post Office. As an active Postmaster, I am aware that I am not allowed to become involved in such proceedings. (This is my disclaimer.)

Few would disagree we notlong rean survive as a viable Postal Service with "business as usual." We have many changes in the way we do but ness in the past couple years and likely will continue to do so in the near future.

One constant that is important or all of us to remember—Postmaster, Postal Headquarters and congressing leaders alike—is we are a "service" and are required to provide service to elementary gone without regard for monetary gone loss.

That, in large part, is what our versal service obligation is all about And until this mandate is changed are obligated to follow the letter of he law. There are legitimate reasons for the emergency suspension of some offices. However, all efforts should be mad proper guidelines followed in the I stal Service's attempt in continuing and or restoring "service" to those communities.

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# Did you know that NAPUS members could save money on auto insurance?

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#### **FEHBP Participants**

As reported in prior eNAPUS Legislative and Political Bulletins and NAPUS Gazettes, the Senate health care financing mechanism would have a financial impact on FEHBP enrollees. The plan imposes a new insurer fee, based on total premium revenue, and levies a 40% exercise tax on "Cadillac" health plans.

The Association of Federal Health Organizations (AFHO) estimates that FEHBP annual premiums would increase by \$103 to \$159 if the fee were in effect this year. Beginning in 2013, a 40% excise tax would be levied on the value of health plans that exceed \$23,000 for family coverage and \$8,500 for single coverage. The total value includes the FEHBP premium, as well as federally-sponsored dental and vision benefits, and flexible spending accounts. The \$23,000 and \$8,500 ceilings would be indexed to inflation plus 1%, which trails the average historic increase in FEHBP premiums by approximately 5%. According to AFHO analysis, beginning in 2015, self-only FEHBP plans covering about half of enrollees in self-only plans would be subject to the tax; the report does not identify the impact on family plans. The direct affect on FEHBP enrollees would be a significant reduction in the FEHBP benefit package, thereby enabling health plan values to fall under the threshold.

NAPUS will continue to urge Senators to oppose this highly regressive excise tax, which reduces FEHBP coverage.

#### **Congress Urges PRC to Monitor USPS**

On Thursday, the House passed the Conference Report on HR 3288, the Consolidated Appropriation Act of FY 2010. The legislation includes language urging the Postal Regulatory Commission (PRC) to continue its constructive oversight of the USPS. Senate is expected to take up the bill over the weekend.

Congress urged the PRC to start proceedings relating to the effect of postal closings on service levels, costs and communities. Additionally, the Congress directed the PRC to "examine whether Postal Service actions, including notification and appeal procedures, are in accord with applicable law." This directive dovetails with NAPUS' actions before the PRC regarding the USPS' misuse of its "temporary emergency suspension authority."

The Conference Report also references the dire financial situation confronting the USPS, acknowledging relief from the onerous requirement that the USPS prefund a significant portion of its future retiree health benefits. Consequently, Congress urged the USPS to coordinate with the Administration to develop a "fiscally responsible" legislative proposal that would provide a "limited measure of relief" from the pre-funding requirement. The Report asked the USPS and the White House to calculate whether, in fact, the USPS contributions would overfund the health liability; review options to permit the USPS to modify its payment schedule; and to evaluate the Congressional Budget Office's absurd view that decreasing the payment schedule would reduce the USPS' incentive to cut costs. NAPUS commends the Appropriations Chairmen, Senator Inouye and Representative Obey, as well as Appropriations Subcommittee Chairmen, Senator Durbin and Representative Serrano, for including the postal language in the Conference Report. These instructions are consistent with NAPUS' legislative strategy that Congress reconsider the USPS prefunding schedule.

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